

NCA  
VOC FOR IOP/FN  
BACKGROUNDER NO. 5-5485  
PAXSON/CHICAGO

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NAZIS IN ILLINOIS: HOW FAR DOES FREEDOM OF  
SPEECH GO?

ANNCR:

THE STATE SUPREME COURT IN ILLINOIS HAS ISSUED TWO VERY  
CONTROVERSIAL RULINGS WHICH WILL PERMIT MEMBERS OF AN AMERICAN  
NEO-NAZIS GROUP TO STAGE A DEMONSTRATION THROUGH THE STREETS  
OF SKOKIE, A PREDOMINANTLY JEWISH SUBURB OF CHICAGO. OUR  
CORRESPONDENT IN CHICAGO, JOHN PAXSON, FILED THIS BACKGROUND  
REPORT.

VOICE:

IT IS AN ISSUE CLOUDED BY EMOTIONS AND RHETORIC. FOR  
MANY IT IS AN ISSUE SHADOWED BY THE MEMORY OF MILLIONS OF  
JEWS PUT TO DEATH BY THE NAZIS NEARLY FOUR DECADES AGO. ALSO,  
IT IS AN ISSUE ROOTED IN DEBATE OVER BASIC GUARANTEES OF FREEDOM  
CONTAINED IN THE U.S. CONSTITUTION.

ESSENTIALLY THE CONTROVERSY IS THIS: A SMALL, NEO-NAZI  
GROUP WANTS TO MARCH THROUGH THE STREETS OF SKOKIE, ILLINOIS,  
WHOSE POPULATION OF SEVENTY THOUSAND IS MORE THAN ONE-HALF  
JEWISH -- MANY OF THEM SURVIVORS OF HITLER'S DEATH CAMPS.  
THE JEWS DO NOT WANT THE NAZIS IN THEIR TOWN.

THE STORY BEGAN EARLY LAST YEAR WHEN THE NAZI GROUP --  
WHICH CALLS ITSELF THE NATIONAL SOCIALIST PARTY OF AMERICA --  
WROTE LETTERS TO SUBURBS AROUND CHICAGO ASKING FOR PERMISSION  
TO MARCH. THE TWO DOZEN OR SO AMERICAN NAZIS HAD PLANNED  
A SERIES OF DEMONSTRATIONS AGAINST RACIAL INTEGRATION IN THE  
NEIGHBORHOODS. THE VILLAGE OF SKOKIE -- HOPING TO THWART THE  
MARCH -- QUICKLY PASSED SEVERAL ORDINANCES BANING NAZI UNIFORMS

AND REQUIRING A THREE-HUNDRED-AND-FIFTY-THOUSAND-DOLLAR INSURANCE BOND TO COVER ANY INJURIES OR DAMAGE A MARCH MIGHT PRODUCE. THE NAZIS, REPRESENTED BY THE AMERICAN CIVIL LIBERTIES UNION -- THE A.C.L.U. -- WENT TO THE COURT, ARGUING THAT THE ORDINANCES DEPRIVED THE GROUP OF ITS RIGHT TO FREE SPEECH, A FREEDOM GUARANTEED BY THE U.S. CONSTITUTION. IRONICALLY, MANY MEMBERS OF THE A.C.L.U. ARE THEMSELVES JEWISH.

IN TURN, THE VILLAGE OF SKOKIE AND A GROUP OF JEWISH RESIDENTS FILED COUNTER SUITS. THEY SAID THAT MARCHING NAZIS WEARING SWASTIKA ARM BANDS WOULD CAUSE SEVERE EMOTIONAL DISTRESS TO THE JEWS OF SKOKIE AND, FURTHER, COULD LEAD TO VIOLENCE. THEY PETITIONED THE COURTS TO FORBID THE MARCH.

THE SUITS WERE IN THE COURTS FOR NEARLY A YEAR. THEN, OVER THE PAST FOUR DAYS, THE ILLINOIS SUPREME COURT HANDED DOWN TWO RULINGS. THE COURT HELD THAT THE CONSTITUTIONAL GUARANTEE OF SPEECH DOES GIVE THE NAZIS THE RIGHT TO WEAR THEIR SWASTIKAS AND MARCH IN SKOKIE.

ESSENTIALLY, THE REASONING IS THIS: THE FREEDOMS GUARANTEED BY THE U.S. CONSTITUTION APPLY TO ALL AMERICAN CITIZENS. THEY CANNOT BE ABRIDGED, SAYS THE COURT, MERELY BECAUSE ONE PART OF SOCIETY FINDS ANOTHER TO BE MORALLY OR ETHICALLY REPREHENSIBLE.

HOWEVER, THE CASE IS NOT OVER. THE STATE SUPREME COURT DECISION TO ALLOW THE NAZIS TO MARCH WILL ALMOST CERTAINLY BE APPEALED TO THE UNITED STATES SUPREME COURT. ALSO, A FEDERAL COURT IN CHICAGO HAS YET TO RULE ON THE ORIGINAL NAZI SUIT CHALLENGING THE SKOKIE ORDINANCES BANNING UNIFORMS AND REQUIRING INSURANCE COVERAGE.

WJL/PY